REMARKS

In the Office Action (OA) mailed September 23, 2004, the Examiner (1) rejected claims 1-3, 5-17, 18-20, 22-37, and 39-45 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,606,708 to Devine et al. (Devine). The Examiner indicated in the Interview Summary of December 21, 2004, that the OA mailed on September 23, 2004, is a non-final action.

In this Amendment, Applicants amend claims 1, 5, 9, 10, 13-18, 22, 26, 27, 29, 30, 31, 33, 35, 39, and 43, cancel claims 4, 6, 12, 21, 23, 32, 38, and 40, and add new claims 46-48. Currently claims 1-3, 5, 7-11, 13-20, 22, 24-31, 33-37, 39, and 41-48 are pending.

Applicants appreciate the Examiner considering the references in the Information Disclosures Statements (IDSs). Applicants did not receive a copy of the form PTO-1449 attached to the IDS filed on August 23, 2004. Applicants respectfully request that the Examiner consider the references on the form PTO-1449 filed August 23, 2004. For the convenience of the Examiner, Applicants include a copy of this IDS, including the form PTO-1449, and a copy of the post card indicating receipt in the Patent Office. If the Examiner is missing copies of any of the references submitted by the Applicants in this case, please notify the undersigned so that arrangements can be made to provide additional copies of any references to the Examiner for review.

Amended claim 1 recites a combination of elements including, among other things:

> a first process associated with a first node and a second
> process associated with a second node . . . transmitting a packet
> from the first process to the second process through the open

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socket without passing through the private network, the packet comprising the security context information for the first process in the process table.

Devine discloses a secure server architecture for web based data management including client sessions. See Abstract and col. 20, lines 53-63. Devine also discloses security protocols that enable a remote user to interact with servers or an "enterprise Extranet." See col. 2, lines 56-60. The Examiner has not shown that Devine discloses or suggests a first process associated with a first node and a second process associated with a second node and transmitting a packet from the first process to the second process through the open socket without passing through the private network, as claim 1 requires. Moreover, the Examiner has not shown that the Devine suggests modifying the structures disclosed therein to achieve the claimed combination.

Because the Examiner has not shown that Devine discloses or suggests each and every element of claim 1, Devine cannot render claim 1 obvious. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 1 under § 103(a).

Although claims 12, 16, 18 and 35 are of different scope than claim 1 and each other, they each contain some similar terminology. For example, claim 18 recites a combination of elements including, among other things, "transmitting a packet from the first process to the second process through the open socket without passing through the private network, the packet comprising the security context information for the first process in the process table." Further, claim 35 recites a combination of elements including, among other things, "transmitting a packet from the first process to the

second process through the open socket without passing through the private network, the packet comprising the security context information for the first process in the process table." Also, claim 16 recites a combination of elements including, among other things, "transmitting a datagram that contains the node identification from the first process to a socket; and receiving the datagram at the second process that contains the node identification and a second virtual address, without the datagram passing through the private network." Finally, claim 33 recites a combination of elements including, among other things, "transmitting a datagram that contains the node identification from the first process to a socket; and . . . receiving the datagram at the second process that contains the node identification and a second virtual address, without the datagram passing through the private network." Therefore, Devine also does not render claims 12, 16, 18, and 35 obvious for at least the same reasons it does not render claim 1 obvious. Thus, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 12, 16, 18 and 35 under § 103(a).

Claims 2-3, 5, 7-11, 13-15, 17, 19, 20, 22, 24-31, 34, 36, 37, 39, and 41-48 all depend on one of independent claims 1, 16, 18, 33, or 35, and include all the limitations of their respective base claims. Thus, dependent claims 2, 3, 5-12, 17, 19, 20, 22-28, 30-32, 34, 36, 37, and 39-45 are allowable over Devine for at least the same reasons stated above in connection with the respective independent claims. Thus, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 2, 3, 5, 7-11, 13-15, 17, 19, 20, 22, 24-31, 34, 36, 37, 39, under § 102(e).

Applicants respectfully disagree with the Examiner's numerous assertions of obviousness, including:

(1) "It is obvious the session is mapped to the targeted destination" (OA at 3 and 10);

(2) "it is obvious that the session refers to a target system, which is [] associated to a channel, destination/target address, and socket that belongs to the associated target system" (OA at 3-4 and 10);

(3) "it would have been obvious to determine if the process belongs to a channel and accepting the transmitted packet that belong to the channel is establishing that the session is secure by having the proper key that identifies the associated session" (OA at 4 and 11);

(4) "It is obvious that a secure session comprises the message include a node identification and an address in order to identify and determine the proper system that it is communicating to, else the session would not be considered secure" (OA at 7, 13, 14, and 16).

Applicant respectfully requests that the Examiner cite references in support of the Examiner's assertion of obviousness or provide an affidavit if it is within the Examiner's personal knowledge. See M.P.E.P. § 2144.03.

The Office Action dated September 23, 2004, contains certain characterizations of the invention, the application claims, and the prior art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization made in the Office Action.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 22, 2004   By: _Kenneth M. Lesch_

Kenneth M. Lesch
Reg. No. 44,868

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Germano CARONNI et al.) Group Art Unit: 2135
)
Application No.: 09/457,914) Examiner: Ha, Leynna A.
)
Filed: December 10, 1999)
)
For: SYSTEM AND METHOD FOR)
ENABLING SCALABLE)
SECURITY IN A VIRTUAL)
PRIVATE NETWORK)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the

Examiner the documents listed on the attached PTO 1449. This Information Disclosure

Statement (IDS) is being filed after the events recited in Section 1.97(b) but, to the

undersigned's knowledge, before the mailing date of either a Final action, Quayle

action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this

Information Disclosure Statement is accompanied by a fee of $180.00 as specified by

Section 1.17(p).

Copies of the listed documents, including any copending patent applications, are

attached.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.
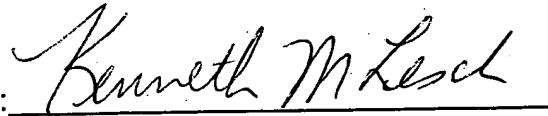
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 23, 2004

By: _Kenneth M Lesch_____

Kenneth M. Lesch
Reg. No. 44,868

MB No. 0651-0011

INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Atty. Docket No.: 06502.0289-00000	Application No.: 09/457,914
Applicant: Germano CARONNI et al.	
Filing Date: December 10, 1999	Group: 2135

U.S. PATENT DOCUMENTS

Examiner Initial*		Document Number	Date	Name	Class	Sub Class	Filing Date If Appropriate
		4,825,354	4/25/1989	Agrawal et al.			
		6,453,419 B1	9/17/2002	Flint et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initial*		Document Number	Date	Country	Class	Sub Class	Translation Yes or No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner	Date Considered:

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449   Patent and Trademark Office - U.S. Department of Commerce

JAB|SRD|KML

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Germano CARONNI et al.

Application No.: 09/457,914   Group Art Unit: 2135
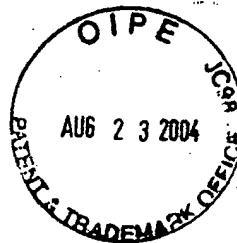
Filed: December 10, 1999   Examiner: Ha, Leynna A.

For: SYSTEM AND METHOD FOR ENABLING SCALABLE SECURITY IN A VIRTUAL
       PRIVATE NETWORK

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1.   Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.97(c) (2 pgs.);
2.   Form PTO 1449 (1 pg.) including two (2) references; and
3.   Check in the amount of $180.00 for fee.

Dated: August 23, 2004

Docket No.: 06502.0289-00000

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(Due Date: N/A)

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